



**MINUTES OF SPECIAL JOINT MEETING OF THE
CITY COUNCIL/REDEVELOPMENT AGENCY
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, April 12, 2005, 8:00 p.m.**

MEETING

The Special Joint City Council/Redevelopment Agency Meeting was called to order by Mayor/Chair Cooper at 8:00 p.m., followed by the Pledge of Allegiance led Council/RA Member Jimenez.

ROLL CALL

Present: COUNCIL/RA MEMBERS Jimenez, Ward, Dowling, Henson
MAYOR/CHAIR Cooper
Absent: COUNCIL/RA MEMBERS Quirk and Halliday

PROCLAMATION: April as Fair Housing Month

Mayor Cooper read a proclamation declaring April 2005 as Fair Housing Month. She encouraged residents and community organizations to celebrate the value of the diverse and harmonious community of neighbors. She urged all to join her in recognizing the contribution of the Eden Council for Hope and Opportunity in promoting equal housing opportunity.

PRESENTATIONS: Pride in Hayward Award

The following Southgate Area residents were honored with the Pride in Hayward Award for April: E.A. and Adeline Dedeaux, Manuel and Obdulia Fumero, Marion Martinez, Andres Perez and Sarahy Flores and Maria and Ana Molina. The Mayor thanked each for taking pride in their homes and adding to the beauty of the City of Hayward. Mayor Cooper urged the community to send her nominations for this award.

Environmental Achievement Awards

Mayor Cooper discussed the annual Environmental Achievement Awards recognition. She noted that the awards honor individuals and multi-family complexes for their commitment to preserving the environment and enhancing their communities. She commented that the Awards reflect the dedication of the business community, the residents and schools in conserving our natural resources and creating a healthier environment. She then introduced and turned the proceedings over to Council Member Henson of the Council's Environment Committee.

Council Member Henson commented about the quality of the applications. He thanked Ed Mullins from the Hayward Chamber of Commerce and Craig Ishida from California State University East Bay for their contributions. Mr. Mullins assisted in presenting the awards to businesses who demonstrated recycling efforts, waste reduction and water conservation. Council Member Henson also thanked Waste Management of Alameda County for donating the business award plaques, and a number of restaurants and individuals in the area who contributed to the gift certificates and coordinated this year Awards presentation. Lastly, he acknowledged staff person, Solid Waste Manager Vera Dahle-Lacaze for her continuous behind-the-scene efforts to make the presentations possible.

PUBLIC COMMENTS

Francisco Abrantes commented on his recent experience with having his automobile smog checked.

Doug Sprague, a twenty-five year resident, commented favorably on the recent acknowledgement by the Eastbay Express of small businesses and non-profit organizations, as well as several restaurants in Hayward. He was pleased with Hayward being a special place to live and thanked the Council and staff for its continued efforts towards small businesses and non-profit organizations.

CONSENT

1. Approval of Minutes of the City Council Meeting of April 5, 2005

It was moved by Council Member Henson, seconded by Council Member Jimenez, and carried with Council Members Quirk and Halliday absent, to approve the minutes of the City Council Meeting of April 5, 2005.

2. Approval of Fees to be Charged for Costs Incurred in 2004 for Administering the Residential and Mobilehome Rent Stabilization Resolutions

Staff report submitted by City Attorney O'Toole, dated April 12, 2005, was filed.

It was moved by Council Member Henson, seconded by Council Member Jimenez, and carried with Council Members Quirk and Halliday absent, to adopt the following:

Resolution 05-031, "Resolution Amending Resolution No. 04-029, the Master Fee Resolution for Fiscal Year 2004-2005, Relating to the City Attorney Department, Establishing Time for Payment of Rent Stabilization Fees"

3. Water Main Seismic Retrofit at Hayward Fault Crossings on Walpert Street and Palisade Street – Approval of Plans and Specifications and Call for Bids

Staff report submitted by Deputy Director of Public Works Ameri, dated April 12, 2005, was filed.

It was moved by Council Member Henson, seconded by Council Member Jimenez, and carried with Council Members Quirk and Halliday absent, to adopt the following:

Resolution 05-032, "Resolution Approving Plans and Specifications for the Water Main Retrofit at Hayward Fault Crossings on Walpert Street and Palisade Street Project, Project No. 7164"

4. Authorization to Acquire Properties at 245 C Street and 22737 Filbert Street



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Staff report submitted by Redevelopment Director Bartlett, dated April 12, 2005, was filed.

It was moved by Council/RA Member Henson, seconded by Council/RA Member Jimenez, and carried with Council/RA Members Quirk and Halliday absent, to adopt the following:

RA Resolution, 05-02, "Resolution Authorizing the Acquisition of Properties at 245 C Street and 22737 Filbert Street in the Proposed Cannery Area School Site"

RA Resolution, 05-03, "Resolution Amending Resolution RA 04-07, as Amended, the Redevelopment Budget Resolution for Fiscal Year 2004-2005, Relating to an Appropriation of Funds from the Redevelopment Tax Allocation Bonds Fund, Fund 454 for the Acquisition of 245 C Street and 22737 Filbert Street"

HEARING

5. General Plan Amendment No. PL-2005-0045 – City of Hayward (Applicant) – Request to Amend the General Plan Land Use Map through the Addition of a New Land Use Designation for Mobilehome home Parks

Staff report submitted by Director of Community and Economic Development Ehrental, dated April 12, 2005, was filed.

Senior Planner Calame made the staff report. He stated that Hayward is unique in that it has nine existing mobilehome parks with over 2,300 spaces. Currently, the resolution identifies mobilehome parks as medium density residential. This type of designation allows other types of medium density residential housing such as condominiums, townhouses and apartments. The action tonight will recognize existing mobilehome parks and any future revision will require higher scrutiny and public review.

Council Member Jimenez commended Senior Planner Calame and read the conclusion of the agenda report to highlight its excellence.

Council Member Ward also commended Senior Planner Calame, his pending retirement and thanked him for his efforts towards retaining existing affordable housing in Hayward. He asked about the ability of property owners to market their properties subsequent to the adoption of this resolution. He asked whether other jurisdictions have such a resolution and noted the City's larger obligation to provide and maintain affordable housing to its residents.

Senior Planner Calame noted that at the Planning Commission meeting, legal staff responded that there are no guarantees to property owners as to the permanence of this land use designation on the general plan or on existing zoning. This does not eliminate the possibility of a mobilehome park changing to another use. Such a request would require a higher level of scrutiny and that avenue is still available to a property owner. He pointed out that there are currently no similar resolutions in California.

Council Member Henson reiterated the commendations to Senior Planner Calame. He asked if a developer came in to request to build a mobilehome park, could the City impose an affordable housing requirement.

City Attorney O'Toole responded that the mobilehomes seem to be affordable and that other resolutions could overlap, including the rent control resolution, which reduces the rates. He did not think the City could impose this requirement.

Mayor Cooper opened the public hearing at 8:37 p.m.

Kathy Morris, representing the Mobilehome Owners Association, spoke on behalf of Continental mobilehome owners. She reiterated what occurred and how the residents were impacted. She reported that there are new owners at Continental, but expressed her concerns for the other parks in the future. She reported that the HMOA Amendments Committee is working with the City Attorney's Office to create a comprehensive conversion resolution that will provide the necessary financial support for residents to move on. Lastly, she introduced Tony Fronchek as a hero of the Continental Homeowner's Association and thanked the Council, specifically Council Member Ward, for his support.

Clarence R. Fischer spoke in support of the general plan amendment to preserve mobilehome parks.

Bob Billmire thanked Council Member Ward for his efforts towards this plan amendment and Senior Planner Calame for preparing the resolution. He reported that the committee's next step is to educate the residents in this regard.

Dawn Plaskon commented favorably on the proposed resolution and noted that she lives at Spanish Ranch I Mobilehome Park. She thanked the Council for recognizing the residents and for protecting their investments.

A resident who did not state his name nor file a speaker's card asked what the legal ramifications are if a park is sold and whether residents would be entitled to reimbursements. City Attorney O'Toole responded that the sale of the park would not have any legal ramifications. It would still be under control of the City's resolutions. There are relocation and reimbursement provisions both in State law and in the City's closure resolution.

Mayor Cooper asked that this resolution be sponsored by both Council Members Ward and Dowling.

Council Member Ward moved the recommendation. He commented on the Council's commitment to the mobilehome community recalling a 1985 Council Meeting held at Mt. Eden High School where 2,000 residents attended. He stated that it was the beginning of that commitment and thanked the



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mobilehome community.

Mayor Cooper closed the public hearing at 8:49 p.m.

It was moved by Council Member Ward and Council Member Dowling, seconded by Council Member Jimenez, and carried with Council Members Quirk and Halliday absent, to adopt the following:

Resolution 05-033, "Resolution Adopting Negative Declaration and
Approving General Plan Amendment Application No PL 2005-0045"

COUNCIL REPORTS

There were no Council Reports.

ADJOURNMENT

Mayor Cooper adjourned the meeting at 8:51 p.m.

APPROVED:

Roberta Cooper, Mayor, City of Hayward
Chair, Redevelopment Agency

ATTEST:

Angelina Reyes, City Clerk, City of Hayward
Secretary, Redevelopment Agency